

**In the United States District Court
For the Southern District of Texas
Galveston Division**

Jay Rivera

Plaintiff,

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208

C.A. No. 3:17-00111

V

9(H) Admiralty

Kirby Offshore Marine, LLC

In personam

M.V. Tarpon

In Rem

8

**PLAINTIFF'S AMENDED, CORRECTED AND CONSOLIDATED
EXHIBIT LIST**

<u>Exhibit Number</u>	<u>Description</u>	Offer	Obj.	<u>DATE ADMIT</u>	<u>DATE N/ADM</u>
<u>Exhibit Number</u>	<u>Description</u>				
Jay Rivera, 3:17 – cv – 111, Ex. 1	Rivera U.S. Coast Guard Merchant Mariner Credential (KOM 568-571)				
Jay Rivera, 3:17 – cv – 111, Ex. 2	Rivera Honorable Discharge from the U.S. Navy, dated January 31 st , 2011 (Bates Labeled Rivera 286)				
Jay Rivera, 3:17 – cv – 111, Ex. 3	Jay Rivera Application to Aransas Corpus Christi Pilots, March 21, 2003 with curriculum vitae (KOM 762- 764)				

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Jay Rivera, 3:17 – cv – 111, Ex. 4	Letter from James Dooley to John P. Larue (Port of Corpus Christi Authority) dated May 16, 2007 (KOM 721)				
Jay Rivera, 3:17 – cv – 111, Ex. 5	Letter from Hon. Phil Wilson to Capt. Jay Rivera dated May 21, 2008 with commission enclosed (KOM 690-691)				
Jay Rivera, 3:17 – cv – 111, Ex. 6	Letter from Carlos H. Cascos, Texas Secretary of State to Capt. Jay Rivera dated June 4, 2015 with commission enclosed(KOM 573-574)				
Jay Rivera, 3:17 – cv – 111, Ex. 7	Photographs of Jay Rivera's left foot post-accident (Rivera 295-297)				
Jay Rivera, 3:17 – cv – 111, Ex. 8	Letter from Dr. Dawn Grosser dated September 19, 2016 (KOM 545-546)				
Jay Rivera, 3:17 – cv – 111, Ex. 9	Photograph of Jay Rivera's left foot post-surgery (Rivera 298-299)				

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Jay Rivera, 3:17 – cv – 111, Ex. 10	Letter from Dr. Randolph Evans dated December 28, 2017				
Jay Rivera, 3:17 – cv – 111, Ex. 11	Letter from Dr. Dawn Grosser dated March 2, 2018				
Jay Rivera, 3:17 – cv – 111, Ex. 12	Letter from Dr. Randolph Evans dated June 4, 2018				
Jay Rivera, 3:17 – cv – 111, Ex. 13	Letter from Aransas Corpus Christi Pilots to U.S. Coast Guard containing Jay Rivera's U.S. Coast Guard Form 719k (merchant mariner physical examination report) dated, June 20, 2018 (Rivera 964-977)				
Jay Rivera, 3:17 – cv – 111, Ex. 14	Letter from Dr. Laura Torres- Reyes, Medical Director National Maritime Center, United States Coast Guard to Capt. Jay Rivera dated June 29, 2018 (Rivera 959)				
Jay Rivera, 3:17 – cv – 111, Ex. 15	Videotaped recording of Port of Corpus Christi Pilot Board				

<u>Exhibit Number</u>	<u>Description</u>	Offer	Obj.	DATE ADMIT	DATE N/ADM
	meeting dated July 17, 2018				
Jay Rivera, 3:17 – cv – 111, Ex. 16	Videotape of M.V. Tarpon taken post-accident				
Jay Rivera, 3:17 – cv – 111, Ex. 17	Photographs of M.V. Tarpon engine room access hatch and machinery space (FIDLY) Bates labeled RIVERA 977-982				
Jay Rivera, 3:17 – cv – 111, Ex. 18	General Arrangement of the M.V. Tarpon (KOM 00003)				
Jay Rivera, 3:17 – cv – 111, Ex. 19	Photographs of M.V. Tarpon provided by Kirby Offshore Marine, LLC post-accident bated labeled (KOM 4-11, 1685)				
Jay Rivera, 3:17 – cv – 111, Ex. 20	Videotape of M.V. Tarpon provided by Kirby Offshore Marine, LLC post-accident				
Jay Rivera, 3:17 – cv – 111, Ex. 21	Riben Marine, Inc. 2013 IRS Tax Returns (Rivera 484-501)				
Jay Rivera, 3:17 – cv – 111, Ex. 22	Riben Marine, Inc. 2014 IRS Tax Returns (Rivera 503-540)				

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Jay Rivera, 3:17 – cv – 111, Ex. 23	Riben Marine, Inc. 2015 IRS Tax Returns (Rivera 541-580)				
Jay Rivera, 3:17 – cv – 111, Ex. 24	Riben Marine, Inc. 2016 IRS Tax Returns (Rivera 694-725)				
Jay Rivera, 3:17 – cv – 111, Ex. 25	Aransas-Corpus Christi Pilots K1 distributions for 2013 through 2017 (Sealed)				
Jay Rivera, 3:17 – cv – 111, Ex. 26	Aracor, Inc. and Aransas Corpus Christ Pilots Defined Benefit Plan (Rivera 138- 204) (SEALED)				
Jay Rivera, 3:17 – cv – 111, Ex. 27	Loren D. Stark Co. Defined Contribution Volume Submitter Plan and Trust for ARACOR, Inc. and the Aransas Corpus Christi Pilots, (Rivera 776-875) (SEALED)				
Jay Rivera, 3:17 – cv – 111, Ex. 28	Aransas Corpus Christi Pilots Articles of Agreement (Rivera 109-136) (SEALED)				

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Jay Rivera, 3:17 – cv – 111, Ex. 29	Aransas-Corpus Christi Pilots Form K1 partner distributions for years 2013, 2014. 2015, 2016 (SEALED)				CONSOLIDATED INTO EX. 25
Jay Rivera, 3:17 – cv – 111, Ex. 30	Affidavit of Ann Marie McCullough, Masters, Mates & Pilots, detailing the amount of medical payments made on behalf of Capt. Rivera related to this incident				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 31	Affidavit of Kathy Redden				
Jay Rivera, 3:17 – cv – 111, Ex. 32	Log book entry for M.V. Tarpon August 19, 2016 (KOM 352)				
Jay Rivera, 3:17 – cv – 111, Ex. 33	Kirby Incident Report dated August 19, 2016 (KOM 13-14)				
Jay Rivera, 3:17 – cv – 111, Ex. 34	International Maritime Organization MSC/Circ. 1156, 23 May 2005, <i>Guidance on the access of public authorities, emergency response services</i>				

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	<i>and pilots on board ships to which SOLAS Chapter XI-2 and the ISPS Code Apply (Rivera 205-212)</i>				
Jay Rivera, 3:17 – cv – 111, Ex. 35	International Maritime Organization Resolution A.1045(27) Pilot Transfer Arrangements (Rivera 213-223)				
Jay Rivera, 3:17 – cv – 111, Ex. 36	Kirby Offshore Marine, LLC safety management system (KOM 403-499) (SEALED)				
Jay Rivera, 3:17 – cv – 111, Ex. 37	Moxie Media Video “Step Back for Safety: Slips, Trips, and Falls” (SEALED)				
Jay Rivera, 3:17 – cv – 111, Ex. 38	American Waterways Operators Interregion Safety Committee (November 2002) Training: Slip, Trip, and Fall Prevention (Bates Rivera 226-236)				
Jay Rivera, 3:17 – cv – 111, Ex. 39	American Waterways Operators				

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	Interregion Safety Committee Training: Slip, Trip, and Fall Prevention – Beyond the Basics, July 2005 (Rivera 237-247)				
Jay Rivera, 3:17 – cv – 111, Ex. 40	Curriculum Vitae of Capt. Reginald McKamie, Sr., Maritime Liability Expert				
Jay Rivera, 3:17 – cv – 111, Ex. 41	Expert Report of Capt. Reginald McKamie, Sr.				
Jay Rivera, 3:17 – cv – 111, Ex. 42	Curriculum Vitae of Dan Cliffe, Economist				
Jay Rivera, 3:17 – cv – 111, Ex. 43	Expert Report of Dan Cliffe				
Jay Rivera, 3:17 – cv – 111, Ex. 44	Supplemental Report of Dan Cliffe				
Jay Rivera, 3:17 – cv – 111, Ex. 45	Curriculum Vitae of Wallace Stanfill, Vocational Rehabilitation				
Jay Rivera, 3:17 – cv – 111, Ex. 46	Expert Report of Wallace Stanfill				
Jay Rivera, 3:17 – cv – 111, Ex. 47	Kirby Offshore Marine, LLC's responses to Plaintiff's First Interrogatories, Requests for				WITHDRAWN

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	Production and Requests for Admission				
Jay Rivera, 3:17 – cv – 111, Ex. 48	Kirby Offshore Marine, LLC's responses to Plaintiff's Second written discovery requests				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 49	Kirby Offshore Marine, LLC's second supplemental Rule 26 Disclosures and Expert Designations				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 50	Kirby Offshore Marine, LLC responses to Plaintiff's Fourth written discovery requests				WITHDRAWN
Jay Rivera, 3:17-cv-111, Ex. 51	Medical Records from Corpus Christi Medical Center-Bay Area				
Jay Rivera, 3:17-cv-111, Ex. 52	Medical Billing Records from Corpus Christi Medical Center-Bay Area				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 53	Medical Records of Dr. Dawn Grosser, South Texas Bone & Joint				

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Jay Rivera, 3:17 – cv – 111, Ex. 54	Affidavit of Custodian of Records for South Texas Bone & Joint				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 55	Medical Billing Records of Dr. Dawn Grosser, South Texas Bone & Joint				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 56	Medical Records of Dr. Thomas Moloney, Nueces County Occupational Health				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 57	Medical Billing Records of Dr. Tom Dorrell, The Medical Center				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 58	Medical Records of Dr. Tom Dorrell, The Medical Center				
Jay Rivera, 3:17 – cv – 111, Ex. 59	Medical Billing Records of Radiology and Imaging of South Texas				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 60	Medical Records of Radiology and Imaging of South Texas				
Jay Rivera, 3:17 – cv – 111, Ex. 61	Medical Billing Records of Corpus Christi Medical Center-Doctors Regional				WITHDRAWN

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Jay Rivera, 3:17 – cv – 111, Ex. 62	Medical Records of Corpus Christi Medical Center- Doctors Regional				
Jay Rivera, 3:17 – cv – 111, Ex. 63	Medical Billing Records of New- Stride Physical Therapy				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 64	Medical Records of New-Stride Physical Therapy				
Jay Rivera, 3:17 – cv – 111, Ex. 65	Medical Billing Records of Institute of Precision Pain Management				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 66	Medical Records of Institute of Precision Pain Management				
Jay Rivera, 3:17 – cv – 111, Ex. 67	Medical Billing Records of Corpus Christi Medical Center-Doctor's Regional				WITHDRAWN
Jay Rivera, 3:17 – cv – 111, Ex. 68	Medical Records of Corpus Christi Medical Center- Doctor's Regional				CONSOLIDATED WITH EX. 62
Jay Rivera, 3:17 – cv – 111, Ex. 69	Required Pilot Boarding arrangements for Cargo Ships, located at Shipsbusiness.com, Exhibit 4 to McKamie Report				CONSOLIDATED INTO EX. 41

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Jay Rivera, 3:17 – cv – 111, Ex. 70	Exxon Shipping Company Ocean Fleet Safety Manual, Exhibit 7 to McKamie Report				CONSOLIDATED INTO EX. 41
Jay Rivera, 3:17 – cv – 111, Ex. 71	International Maritime Organization, International Safety Management Code, Exhibit 9 to McKamie Report.				CONSOLIDATED INTO EX. 41
Jay Rivera, 3:17 – cv – 111, Ex. 72	ASTM F1166-07, Standard Practice for Human Engineering Design for Marine Systems, Equipment, and Facilities				CONSOLIDATED INTO EX. 41
Jay Rivera, 3:17 – cv – 111, Ex. 73	Medical Records of Corpus Christi Outpatient Surgery (KOM1835-1878) – Defendant's Exhibit 124				

Respectfully submitted this 10th day of December, 2018,

The Crew Law Firm, P.C.

/s/ Paxton N. Crew
Paxton N. Crew
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And

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing document has been forwarded to all counsel of record by CM/ECF in accordance with the Federal Rules of Civil Procedure on this 10th day of December, 2018.

/s/ Paxton N. Crew
Paxton N. Crew